

PATENT COOPERATION TREATY

Translation

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 19225		Date of mailing (day/month/year)
FOR FURTHER ACTION See paragraph 2 below		
International application No. PCT/JP2004/003455	International filing date (day/month/year) 16.03.2004	Priority date (day/month/year) 22.05.2003
International Patent Classification (IPC) or both national classification and IPC		
Applicant NOK CORPORATION		

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/003455

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2004/003455

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-9</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims _____	YES
	Claims <u>1-9</u>	NO
Industrial applicability (IA)	Claims <u>1-9</u>	YES
	Claims _____	NO

2. Citations and explanations:

Document 1: JP, 2002-371161, A (NOK Corp.), 26 December, 2002 (26.12.02), the claims, [0002], [0010], [0014]-[0016]
 Document 2: JP, 8-132557, A (Kureha Elastomer Co., Ltd.), 28 May, 1996 (28.05.96), the claims, [0010], [0011]
 Document 3: JP, 6-96750, A (Fuji Photo Film Co., Ltd.), 8 April, 1994 (08.04.94), [0009]
 Document 4: JP, 2001-2864, A (NOK Corp.), 09 January, 2001 (09.01.01), the claims, [0001]-[0004]

The subject matters of claims 1, 3, 4 and 6-9 do not appear to involve an inventive step in view of documents 1 and 2.

A person skilled in the art could have easily used the material to be molded into a sealing material for the electrolyte of a nickel hydrogen battery described in document 1 or 2 in the electrode section of a nickel hydrogen battery.

The subject matter of claim 2 does not appear to involve an inventive step in view of documents 1-3.

A person skilled in the art could have easily employed the value stated in document 3 as the Mooney viscosity of the EPDM used in the material to be molded into a sealing material described in document 1 or 2.

The subject matter of claim 5 does not appear to involve an inventive step in view of documents 1, 2 and 4.

A person skilled in the art could have easily arrived at the constitution in which the material to be molded into a sealing material described in document 1 or 2 further contains the hydrocarbon-based oil described in document 4.